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April 21, 2011

Hon. Michael A. Shipp
United States District Court
Martin Luther King Jr. Federal Bldg.
50 Walnut Street
Newark, NJ 07101

Re: White v. Smiths Detection, Inc.
Docket No. 2:10-cv-04078-SRC/MAS

Dear Judge Shipp:

This firm represents the Plaintiff, Sally White, in the above-captioned matter. I request an adjournment of the preparation and presentation of the Discovery Plan and the May 3, 2011 scheduling conference before Your Honor.

This is an employment action in which the Plaintiff was a senior executive who established, built and ran an international business unit of the Defendant, Smiths Detection, Inc. Her division was responsible for a significant percentage of the company's revenues and profit. She alleges (i) sex discrimination; (ii) sexual harassment by the Chief Operating Officer Defendant Gane, and (iii) retaliatory demotion and constructive discharge from the position of VP/Global Service Operations to a non-descript director-level job.

The Defendants filed motions to dismiss under R. 12(b)(6) on December 23, 2010 which were argued on March 14, 2010. The court entered an order April 18, 2011 granting the motions in part. The Plaintiff will file a Motion for Reconsideration under Local R. 7.1 insofar as the factual predicates supporting the decision are incorrect. Under the Rule her Brief will be filed before May 2, 2011.

While defense counsels sought and received my consent a number of times to adjourn this conference to accommodate their motions, they do not consent to this request. They said it was because they think there is no basis for reconsideration. However, defense counsels did not find out what issues would be raised in the motion. I ask the court to permit the issues to be considered before the plan and schedule of discovery is set.

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In sum, Plaintiff respectfully requests a short adjournment of the scheduling conference and presentation of the Discovery Plan so that the court may hear and decide her arguments. I respectfully request that the court reschedule the conference until after the R. 7.1 motion which to be filed not later than May 2, 2011.

Respectfully submitted,
LAW OFFICE OF ELLEN O'CONNELL, L.L.C.

By: 
Ellen O'Connell (EO0456)

Filed via ECF
cc: Sarah Bouchard, Esq.
Michael R. Potenza, Esq.
Wonho John Lee, Esq.